

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48861 of 2024

Arising Out of PS. Case No.-15 Year-2018 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

NAND KISHORE SAH SON OF SRI AMERIKA SAH RESIDENT OF
VILLAGE - NEW SBI OFFICERS COLONY, DIGHA, P.S. - DIGHA,
DISTRICT - PATNA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. THE SUPERINTENDENT OF POLICE, (E.O.U.), PATNA BIHAR BIHAR
3. THE BRANCH MANAGER, PUNJAB NATIONAL BANK,
KANKARBAGH BRANCH PATNA, BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shudesh Pandey
For the Opposite Party/s	:	Mr.Ram Sevak Choudhary
For EOU	:	Mr.V.N.P. Sinha, Sr. Adv.
		Mr.Vijay Anand
For the PNB	:	Mr.Mritunjay Kumar
		Mr.Ram Ganesh
		Mr.Vibhuti Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Special Case No. 8 of 2023, registered for
the offences punishable under Sections 406, 409, 419, 420, 467,
468, 471, 472/34 and 120(B) of the IPC and later on, section
13(2) read with 13(1)A of the Prevention of Corruption Act was
added.

3. The allegation against the petitioner is that being



the employee of the Bank, he wrongly approved the loan in favour of a fake person.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is a person of clean antecedent. He has submitted further that the guarantor who stood for the main loanee has already paid more than the principle amount and the guarantor had also undertaken that he will return the entire dues. Considering these facts, the guarantor has been granted anticipatory bail by the court below itself. Due to action or omission of the petitioner, no loss has been occurred to the Bank.

5. On the other hand, the learned counsel for the Economic Offences Unit as well as the learned counsel for the Punjab National Bank have opposed the prayer for bail and submitted that due to omission of the petitioner in proper verification, the loan was sanctioned in favour of a fake person.

6. The Bank has recovered the most part of the loan from the guarantor and the guarantor has already undertaken to return the rest of the amount and he has been granted bail by the court below itself.

7. Considering the above-mentioned facts and



circumstances as well as clean antecedent, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Patna in connection with Special Case No. 8 of 2023, arising out of Economic Offences P.S. Case No. 15 of 2018, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) **The learned court below shall verify the criminal antecedent of the petitioner and if it is found that he is involved in any other case of similar nature except the present one, his bail bond shall liable to be cancelled.**

(Nawneet Kumar Pandey, J)

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